

Amendments to the Drawings:

The attached sheet of drawing includes a change to Fig. 1B. This sheet, which includes Fig. 1B, replaces the previously submitted sheet including Fig. 1B. In Fig. 1B, reference numeral 108 has been deleted.

Attachment: 1 replacement sheet

REMARKS

I Introduction

Claims 1-9 are pending in the present application. Claims 3, 4, 7 and 8 have been allowed, and Applicants thank the Examiner for allowing these claims. Claims 1, 2, 5, 6 and 9 are rejected. Independent claims 1, 2 and 6 have been amended to clarify the claimed invention. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

In response to the drawing objection, Applicants have attached a replacement drawing sheet containing corrected Fig. 1B.

II. Rejection of Claim 1 under 35 U.S.C. § 103(a)

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,418,567 ("Boers") in view of U.S. Patent 6,061,087 ("Schieltz"). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Amended claim 1 recites a camera assembly including “a housing having a mounting cap attached to sidewalls to which is attached an optical surface, . . . wherein the optical surface is a dome that is rotatable relative to the housing . . . , and wherein the dome is coupled to the housing by a circumferential seal that has a first groove, the dome being movable in the first groove of the seal.” Since neither Boers nor Schieltz teaches or suggests coupling of an optical dome to the housing by a circumferential seal that has a first groove which accommodates the movement of the dome, Applicants note that the combined teachings of Boers and Schieltz (as well as the teachings of other references cited in the Office Action) clearly do not suggest the claimed features that “the dome is coupled to the housing by a circumferential seal that has a first groove, the dome being movable in the first groove of the seal.”

For at least the foregoing reasons, the combination of Boers and Schieltz fails to render obvious claim 1.

III. Rejection of Claim 2 under 35 U.S.C. § 103(a)

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Boers in view of published U.S. Patent Application 2003/0053806 (“Schneider”). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach

or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 2 has been amended to recite a “an optical dome rotatable relative to the housing . . . through the use of a circumferential seal attached to a circumferential flange portion of the housing, wherein the circumferential seal has a first groove, and wherein the dome is movable in the first groove of the seal.” Since neither Boers nor Schneider teaches or suggests coupling of an optical dome to the housing by **a circumferential seal that has a first groove which accommodates the movement of the dome**, Applicants note that the combined teachings of Boers and Schneider (as well as the teachings of other references cited in the Office Action) clearly do not suggest the claimed features of “an optical dome rotatable relative to the housing . . . through the use of a circumferential seal attached to a circumferential flange portion of the housing, wherein the circumferential seal has a first groove, and wherein the dome is movable in the first groove of the seal.”

For at least the foregoing reasons, the combination of Boers and Schneider fails to render obvious claim 2.

IV. Rejection of Claim 5 under 35 U.S.C. § 103(a)

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Boers in view of Schieltz and further in view of U.S. Patent No. 4,736,218 (“Kutman”). Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found

in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 5 depends on claim 1. Furthermore, the teachings of Kutman do not remedy the deficiencies of Boers and Schieltz as applied against parent claim 1. Accordingly, the combination of Boers, Schieltz and Kutman fails to render obvious dependent claim 5 for at least the reasons stated in connection with claim 1.

V. Rejection of Claim 6 under 35 U.S.C. § 103(a)

Claims 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,643,456 ("Ryan") in view of Boers and Schneider. Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 6 has been amended to recite a camera assembly including a camera housing and “an optical dome rotatable relative to the housing . . . through the use of a circumferential seal attached to a circumferential flange portion of the housing, wherein the circumferential seal has a first groove, and wherein the dome is movable in the first groove of the seal.” As noted above in connection with amended claim 2, the combination of Boers and Schneider fails to teach or suggest coupling of an optical dome to the housing by **a circumferential seal that has a first groove which accommodates the movement of the dome**. Furthermore, Ryan has nothing to do with the claimed feature of coupling an optical dome to the housing by **a circumferential seal that has a first groove which accommodates the movement of the dome**. Accordingly, the combination of Ryan, Boers and Schneider clearly fails to teach or suggest “an optical dome rotatable relative to the housing . . . through the use of a circumferential seal attached to a circumferential flange portion of the housing, wherein the circumferential seal has a first groove, and wherein the dome is movable in the first groove of the seal.”

For at least the foregoing reasons, the combination of Ryan, Boers and Schneider fails to render obvious claim 6.

VI. Rejection of Claim 9 under 35 U.S.C. § 103(a)

Claims 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan in view of Boers and Schneider, and further in view of Kutman. Applicants respectfully submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

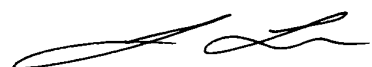
Claim 9 depends on claim 6. Furthermore, the teachings of Kutman do not remedy the deficiencies of the combination of Ryan, Boers and Schneider as applied against parent claim 6. Accordingly, the combination of Ryan, Boers, Schneider and Kutman fails to render obvious dependent claim 9 for at least the reasons stated in connection with claim 6.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims 1-9 are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

KENYON & KENYON LLP

 (R.No. 36,197)

Dated: January 11, 2006

By: JONG LEE for Gerard Messina
Gerard A. Messina
Reg. No. 35,952
One Broadway
New York, NY 10004
(212) 425-7200

CUSTOMER NO. 26646